P

App. F. IX-4

22-47-58

Previous References. 1947-8 (LB) File No. 64-46

Serial Nos. 1, 52

Later References.

P 58

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1 to 2

Part B for Aug 1947

SUBJECT

Petition of Sri V.A. Ekurajan Nadar, Merchant, Robertsonpet appealing against the orders of the President, KGF Sanitary Board, directing the resumption of the Stall No. 184, Robertson Market & eviction of the appalent therefrom.

G.O. No. L2349/LB Dt 9th Aug 1947

To the President, KGF Sanitary Board

Directs to reconsider the appalent's Case

G.O. of 15th Aug 1947

L2350/LB Dt 9th Aug 1947

Mr. V.A Ekurajan Nadar

Endorsement granted to him to the above appeal

4/11

(1) 8855 ∫ 8650/L

Appeal petitions dt 15/4/47 from
M. G. Srinivasa Rao, Advocate,
on behalf of his client one M. V. A.
Ethiraju Mudaliar of Robertsonpet-
against the orders of the President, K.S.T.
Sanitary Board directing eviction
of M. Mudaliar from stall No. 184
in the Robertsonpet Market at the
place

1) A copy of the order passed
by the president in this respect is submitted
for perusal. ~~Asking~~ The grounds for
the issue of a stay order.

2) If approved, a report will be
called for, in the first instance, from
the President, K. S. T. Sanitary Board.

Dra
21/4. 3) Is there provision in the
Rules in force for a Sanitary
Boards area for the Govt. on
appeal to function in this behalf?
M. note with reference to the only
provision in this behalf

for
21/4/47

4) Submitted

As seen from the Boye-laws

fly A.

fly N.

(3) P.4125
13-6-47

V. A. Ethirajalu
and Brother
BOWRINGPET

OFFICE OF THE MINISTER
FOR REVENUE
No. P.4125
Date 13-6-47

773

Say that his property in Robertsonpet was sealed and that he has appealed against the order

11 Has any record about this person (X.9.7) been received.

Respectfully

L.A.J

13/7 = 6

12

Connected file above

A report has been called for from President, K.G.7 Sanitary Board 15/6 hrs

13

submitted with the connected file. The report called for from the President. K.G.7 Sanitary Board has not been received as yet

Rec'd 16/6 W.

Revised

14 Remind the President

16/6.

15

A draft reminder is submitted.

Mp seen. To day please W. 18/6. Sent A hra 17/7

16) Issued W. 19/6.

L.17444 & 26/6/47

(6)

21) The file bearing ~~in the subject~~ 27/99 is
put up herewith
the telegram subsequently received from
2) applicant is also for perusal
23) A reminder was issued to the D.C. Kalmunai
for the return of the report into the records
on 28/6/47.
552/15/7 Dy appeared, a D.O. reminder will be
issued to the D.C. Kalmunai for
the return of the ~~record~~ report immediately

Received from
19/7/47

Dy Apts
20/7/47

26) Asst D.O. Akkaraipattu
21/7/47 was pleased
27) The private secretary to Minister
to direct that a D.O. letter may be
written to the D.C. Kalmunai to
submit the report by return post

21/7/47

28) Sent with a draft D.O. reminder for appl

21/7

Dy Asst Secretary

21/7/47

Issued vide L 1292 Dy 21-7-47.

(7)

99/264
2.

Letter No. 463-C164/46-47 dt 21-7-47 from the Pdt, K.G.F. Sanitary Board forwarding a report in the matter.

30. The report received from the Pdt. K.G.F. Sanitary Board is submitted for perusal.

31. A Copy of the Rules & Bye-Laws of the K.G.F. Sanitary Board is also put up.

WKB
24/7

W. 32) The report received from the President, K.G.F. Sanitary Board gives the facts of the case in detail and answers all the points raised by the petitioner in his appeal petition to this Court.

33) The President has heard the Counsel for the petitioner on 21.3.47 and has come to the conclusion that the attitude of the petitioner is very unsatisfactory, ~~that~~ as he has disobeyed the directs of Competent authority this actions are against the provisions of the rule relating to the letting out of stalls in the Robertsonpet Market, K.G.F. Sanitary Board are

38) Order. The file will now be sent to the Office of the Minister for Rev & Communications with reference to para 36 supra

VKB
31/7.

P. A to the Minister for Rev & Comms
31.7.47

W.

OFFICE OF THE MINISTER FOR REVENUE
No. 1236
Date 31-7-47

39) Heard Mr Gulam Ramarao Rao for the appellant

It is gathered from the records that the appellant got possession of the stall from the original ~~grantee~~ licensee about six years ago & that he has been doing business in the stall from that time on his own account & has also put up an illumination & his name board. It is ~~not~~ doubtful whether such sale amounts to ~~not~~ letting & whether the provision of item 10 of the ~~rules~~ rules repealing the ~~rules~~ rules & bye-laws of the Robertsonpet market applies to the case. It is also not known why the market authorities ~~took~~ took take action against him for such a long period, as it cannot be believed that they were not aware of the true position. The appellant ~~was~~ has put to considerable inconvenience & loss, if he should be evicted at this distance of time. His attitude in action are no doubt objectionable but he

(11) GB 64-46-1. 976/L
LB 22-47-5

47) As Orders have already been passed in the Matter (vide Para 40 supra), no action is called for on this. If approved, this will be placed in the Main file

Sheets.

6/9.

48) Yes please for file pg

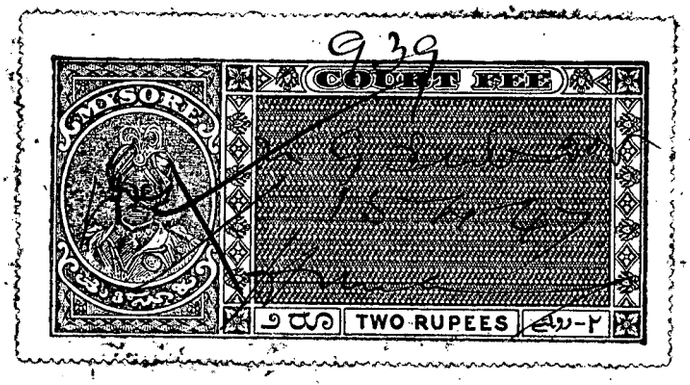
49) May this be recorded?

B. 22/47

22/47

yes JR 29/10/10

L.B. 64-46-1. (12)



GEN. & REV. SECRETARIAT.
8655
21 APR. 1947
L.S.G. BRANCH.

Mr. Mercara

16/4

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE

MAHARAJA OF MYSORE.

Appeal No. of 1946-47.

Appellant.-

V.A.Ethirajulu Mudaliar,
Merchant, Robertsonpet,
C/o Gulur Srinivasa Rao,
Advocate, Balepet, -
Bangalore City.

Appellant begs to appeal to this - Hon'ble Court from the order dated 6-4-47 of the learned ~~learned~~ President of the Kolar Gold Fields Sanitary Board, Kolar resuming Stall No.184, Market, Robertsonpet, and directing eviction of the appellant from the occupation of the stall in which he has been trading for the last ten years and prays that this Hon'ble Court may be pleased to send for the connected records and cancel the order appealed from.

FACTS OF THE CASE.

The appellant has been trading in stall No.184, Market, Robertsonpet, - originally in partnership with one - Subrahmanyam who however left off the partnership and executed the ~~partnership~~ the release deed dated 6-12-1940. With effect from that date the appellant has been trading in his own right as full and complete owner of the shop under reference.

the appellant as a sub-tennant of P.R. - Subrahmanyam is to misuse the word - Sub-tennant. Appellant has never been a sub-tennant and has always been in - possession as the primary tennant under the Kolar Gold Fields Sanitary Board.

Immediately after the receipt of the aforesaid notice dated 22-2-1947, appellant approached the President who as per his order No. M.3-C 164 of 46-47 dated 29-3-1947 declined to interfere with the order directing eviction of the appellant. The said order was communicated to the appellant on 6-4-1947 and the appellant has come up in appeal today.

GROUNDS OF APPEAL/

1. The learned President erred in his view of the facts of the case. His - indication that the appellant is a succesor to the previous holder is erroneous. He Has failed to notice that appellant and Subrahmanyam were originally trading in partnership and that later on Subrahmanyam ceased to be a partner after executing a ~~registered~~ release deed dated 6-12-1940. He has further failed to notice that - appellant has been trading in the stall under reference for atleast ten years in his own right and that he has not succeeded any person.

2. The learned President is again in error in thinking that there was a transfer of lease-hold interest. Appellant has all along been in the shop in his own right and there is no question

(16)

Western India Match Co., Ltd., He owns Rice and Flour Mills in Bowringpet and pays income-tax to the Government. The remark of the learned President that the appellant is dis-obeying the directions of the Market authorities really wounds him. It is submitted that the said remark is unfounded.

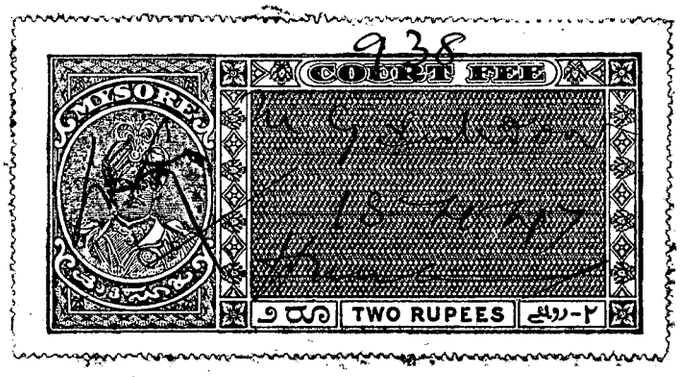
It is prayed that the order appealed from may be cancelled and the appellant allowed to continue to trade in Stall No.184, Market, Robertsonpet, Kolar Gold Fields.

Bangalore,
Dated 15th April 1947.

V. A. Elvi Jyulu
Appellant.

Advocate for Appellant.

15/4.



938

(17)

BEFORE THE GOVERNMENT OF HIS HIGHNESS

THE MAHARAJA OF MYSORE.

Appeal No. of 1946-47.

Appellant.-

V.A.Ethirajulu Mudaliar,
Merchant, Robertsonpet,
C/o Gulur Srinivasa Rao,
Advocate, Balepet, -
Bangalore City.

STAY PETITION.

As against the order No.M.3-C 164 of 1946-47 dated 29-3-1947 of the learned President, K.G.F.Sanitary Board, directing resumption of the Stall No.184, Market, Robertsonpet, K.G.F and eviction of the appellant who has been trading in the stall under reference continuously for over ten years. The appellant has today preferred an appeal to this Hon'ble Court. The order appealed from was - communicated to him on 6-4-1947. Under final endorsement No.B.L.115 of 46-47 dated 10-4-1947 but delivered to the appellant on 11-4-1947 he has been called upon to vacate the stall immediately. and to hand over the same to the Market Seargant. The said endorsement is - produced herewith.

Should during the pendency of the appeal before this Hon'ble Court, the appellant is evicted irreparable -

B.L.115/46-47.

(19) Office Of The Medical Officer Of Health,
Sanitary Board, K.G.F. D/10-4-1947.

FINAL ENDORSEMENT.

To

Mr. V.A.Ethirajulu Mudaliar, Robertsonpet Market.

In continuation of this office reference No.B.L.115/46-47 dated 2-4-1947 served on him on 6-4-1947 directing him to vacate the stall No 184 of Robertsonpet Market,it is reported that he has not so far complied with the condition of the order communicated to him and as such he is hereby finally informed that he should immediately vacate the said stall and hand it over to the Market Seargent within one week from the date of service of this reference failing which the said stall will be resumed by the Sanitary Board authorities at his cost.

Medica l Officer Of Health, K.G.F.

Market Inspector for service & report.

Received 11/4/47

(20)

No. M3-C. 164/46-47. Office of the President, K. G. F. Sanitary Board,
Dated, Champion Reefs, the 29th March 1947.

Reference:- The Vice-President's order No. M3-C. 164/46-47 dated 20th February 1947 resuming stall No. 184 of the Robertsonpet Market, to the Sanitary Board, in the circumstances mentioned therein and calling upon Mr. V. A. Ethirajalu Mudaliyar to vacate the said stall within a week.

2. Petitions dated 28th February 1947 of Mr. V. A. Ehirajalu Mudaliyar (represented by his counsel Mr. K. Rajagoapala Rao, B. A. B. L.) requesting that he may be allowed to continue in the said stall and that pending consideration of his petition, further proceedings might be stayed.

3. This office order of even No. dated 1st March 1947 directing that further proceedings might be stayed pending orders on the application referred to above.

ORDERS THEREON.

I have heard the petitioner and his counsel. The petitioner cannot be considered to be the rightful successor to the previous holder, as no such transfer as that alleged in the petition can be recognised. It is also true that the petitioner is disobeying the directions of the Market authorities and has unauthorisedly put up a coffee grinder without obtaining formal permission. As such he cannot be allowed to hold the stall any longer. The stay order is hereby withdrawn and the order of resumption dated 20th February 1947 is approved.

The petitioner is however at liberty to apply for a suitable stall in the market, which will be considered on merits.

PR 1/5/1947

Market Inspector for service and report. 1/4/47

Syedabanlah
for PRESIDENT.

1. The petitioner (Mr. V. A. Ethirajalu Mudaliyar) through the Medical Officer of Health.

2. The Revenue Officer, K. G. F. Sanitary Board.

Received 6/4/47

(21)

934

In the Court of the .....

.....

Suit No. of 193 ,-

Court of H.H.
the Maharaja of Mysore

Plaintiff/Appellant

V.R.

Petitioner/Complainant

Defendant/Respondent

Counter Petitioner/Accused

V. A. Sethuraju
and
another

Vs.

I, R. Sethuraju do hereby appoint and retain GULUR SREENIVASA RAO, B.A., B.L.- to appear for me in the above suit / Original / Miscellaneous petition and to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application for execution of any decree or order passed therein. I empower my Advocate to appear in all miscellaneous proceedings in the above suit or matter till all decrees or orders are fully satisfied or adjusted and to obtain the return of documents and draw any money that might be payable to me in the said suit or matter,

Accepted.

V. A. Sethuraju

ADVOCATE;
Bangalore City,

Personally known to me and signed in my presence.

Dated 19

15/4/47

(22)

L. 15794/F.1
d. 12.5.47

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

To,

The President, K.T.T.
Sanitary Board.

Sir,

I forward herewith, in original, a petition d. 15.4.47 received from one Mr. V. A. Ethirajulu Mudaliar through his advocate appealing against ~~the~~ ~~order of the President~~ your orders in connection with his eviction from stall No. 184 in the Robertson Market, I am directed to request you to send a detailed report together with the connected records on the above subject at an early date.

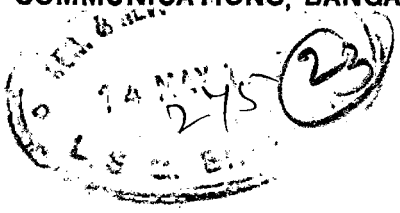
The petition may kindly be returned with the report.

I have etc.

for
A. Rowsey.

WD 0436—GPB—10,000—17-10-33

OFFICE OF THE MINISTER FOR REVENUE AND COMMUNICATIONS, BANGALORE



10059
13.5.47

"

The health officer and others have sealed our shop contents worth of Rs. 5000/= at Robertsonpet - -
29th April getting heavy loss pray immediate action for my appeal fifteenth Apr"

Rev. Sec)

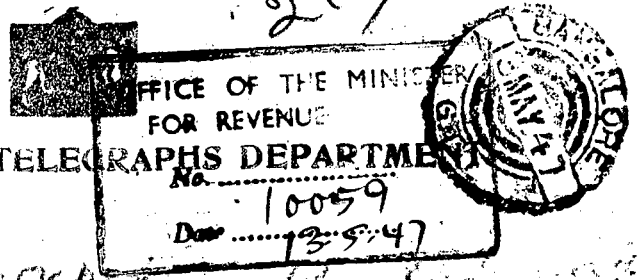
Received,
13.5.47
Sanitary Board

for disposal -

Mr Nicum (K)
14/5/47

13/5/47

C.R. No. 213



INDIAN POSTS AND TELEGRAPHS DEPARTMENT

O. P. Bangalore 13 May 47

The revenue minister of Mysore Bangalore

The Head office

The Secretary

The Minister for Finance

The Minister for Revenue

The Minister for Public Affairs

The Minister for Education

The Minister for Health

The Minister for Agriculture

The Minister for Industries

The Minister for Commerce

The Minister for Transport

The Minister for Communications

The Minister for Defence

The Minister for Foreign Affairs

The Minister for Home Affairs

The Minister for Justice

The Minister for Labour

The Minister for Social Welfare

The Minister for Tourism

The Minister for Youth Affairs

The Minister for Women's Affairs

The Minister for Children's Affairs

The Minister for Old Age Pensions

The Minister for Unemployment Relief

The Minister for Disaster Relief

The Minister for Emergency Services

The Minister for Civil Defence

The Minister for Police

The Minister for Fire Services

The Minister for Ambulance Services

The Minister for Hospitals

The Minister for Medical Services

The Minister for Dental Services

The Minister for Veterinary Services

The Minister for Agricultural Services

The Minister for Horticultural Services

The Minister for Forestry Services

The Minister for Fisheries Services

The Minister for Mining Services

The Minister for Industrial Services

The Minister for Commercial Services

The Minister for Transport Services

The Minister for Communications Services

The Minister for Defence Services

The Minister for Foreign Affairs Services

The Minister for Home Affairs Services

The Minister for Justice Services

The Minister for Labour Services

The Minister for Social Welfare Services

The Minister for Tourism Services

The Minister for Youth Affairs Services

The Minister for Women's Affairs Services

The Minister for Children's Affairs Services

The Minister for Old Age Pensions Services

The Minister for Unemployment Relief Services

The Minister for Disaster Relief Services

The Minister for Emergency Services Services

The Minister for Civil Defence Services

The Minister for Police Services

The Minister for Fire Services Services

The Minister for Ambulance Services Services

The Minister for Hospitals Services

The Minister for Medical Services Services

The Minister for Dental Services Services

The Minister for Veterinary Services Services

The Minister for Agricultural Services Services

The Minister for Horticultural Services Services

The Minister for Forestry Services Services

The Minister for Fisheries Services Services

The Minister for Mining Services Services

The Minister for Industrial Services Services

The Minister for Commercial Services Services

The Minister for Transport Services Services

The Minister for Communications Services Services

The Minister for Defence Services Services

The Minister for Foreign Affairs Services Services

The Minister for Home Affairs Services Services

The Minister for Justice Services Services

The Minister for Labour Services Services

The Minister for Social Welfare Services Services

The Minister for Tourism Services Services

The Minister for Youth Affairs Services Services

The Minister for Women's Affairs Services Services

The Minister for Children's Affairs Services Services

The Minister for Old Age Pensions Services Services

The Minister for Unemployment Relief Services Services

The Minister for Disaster Relief Services Services

The Minister for Emergency Services Services Services

The Minister for Civil Defence Services Services

The Minister for Police Services Services

The Minister for Fire Services Services Services

The Minister for Ambulance Services Services Services

The Minister for Hospitals Services Services

The Minister for Medical Services Services Services

The Minister for Dental Services Services Services

The Minister for Veterinary Services Services Services

The Minister for Agricultural Services Services Services

The Minister for Horticultural Services Services Services

The Minister for Forestry Services Services Services

The Minister for Fisheries Services Services Services

The Minister for Mining Services Services Services

The Minister for Industrial Services Services Services

The Minister for Commercial Services Services Services

The Minister for Transport Services Services Services

The Minister for Communications Services Services Services

The Minister for Defence Services Services Services

The Minister for Foreign Affairs Services Services Services

The Minister for Home Affairs Services Services Services

The Minister for Justice Services Services Services

The Minister for Labour Services Services Services

The Minister for Social Welfare Services Services Services

The Minister for Tourism Services Services Services

The Minister for Youth Affairs Services Services Services

The Minister for Women's Affairs Services Services Services

The Minister for Children's Affairs Services Services Services

The Minister for Old Age Pensions Services Services Services

The Minister for Unemployment Relief Services Services Services

The Minister for Disaster Relief Services Services Services

The Minister for Emergency Services Services Services Services

The Minister for Civil Defence Services Services Services

The Minister for Police Services Services Services

The Minister for Fire Services Services Services Services

The Minister for Ambulance Services Services Services Services

The Minister for Hospitals Services Services Services

The Minister for Medical Services Services Services Services

The Minister for Dental Services Services Services Services

The Minister for Veterinary Services Services Services Services

The Minister for Agricultural Services Services Services Services

The Minister for Horticultural Services Services Services Services

The Minister for Forestry Services Services Services Services

The Minister for Fisheries Services Services Services Services

The Minister for Mining Services Services Services Services

The Minister for Industrial Services Services Services Services

The Minister for Commercial Services Services Services Services

The Minister for Transport Services Services Services Services

The Minister for Communications Services Services Services Services

The Minister for Defence Services Services Services Services

The Minister for Foreign Affairs Services Services Services Services

The Minister for Home Affairs Services Services Services Services

The Minister for Justice Services Services Services Services

The Minister for Labour Services Services Services Services

The Minister for Social Welfare Services Services Services Services

The Minister for Tourism Services Services Services Services

The Minister for Youth Affairs Services Services Services Services

The Minister for Women's Affairs Services Services Services Services

The Minister for Children's Affairs Services Services Services Services

The Minister for Old Age Pensions Services Services Services Services

The Minister for Unemployment Relief Services Services Services Services

The Minister for Disaster Relief Services Services Services Services

The Minister for Emergency Services Services Services Services Services

The Minister for Civil Defence Services Services Services Services

The Minister for Police Services Services Services Services

The Minister for Fire Services Services Services Services Services

The Minister for Ambulance Services Services Services Services Services

The Minister for Hospitals Services Services Services Services

The Minister for Medical Services Services Services Services Services

The Minister for Dental Services Services Services Services Services

The Minister for Veterinary Services Services Services Services Services

The Minister for Agricultural Services Services Services Services Services

The Minister for Horticultural Services Services Services Services Services

The Minister for Forestry Services Services Services Services Services

The Minister for Fisheries Services Services Services Services Services

The Minister for Mining Services Services Services Services Services

The Minister for Industrial Services Services Services Services Services

The Minister for Commercial Services Services Services Services Services

The Minister for Transport Services Services Services Services Services

The Minister for Communications Services Services Services Services Services

The Minister for Defence Services Services Services Services Services

The Minister for Foreign Affairs Services Services Services Services Services

The Minister for Home Affairs Services Services Services Services Services

The Minister for Justice Services Services Services Services Services

The Minister for Labour Services Services Services Services Services

The Minister for Social Welfare Services Services Services Services Services

The Minister for Tourism Services Services Services Services Services

The Minister for Youth Affairs Services Services Services Services Services

The Minister for Women's Affairs Services Services Services Services Services

The Minister for Children's Affairs Services Services Services Services Services

The Minister for Old Age Pensions Services Services Services Services Services

The Minister for Unemployment Relief Services Services Services Services Services

The Minister for Disaster Relief Services Services Services Services Services

The Minister for Emergency Services Services Services Services Services Services

The Minister for Civil Defence Services Services Services Services Services

The Minister for Police Services Services Services Services Services

The Minister for Fire Services Services Services Services Services Services

The Minister for Ambulance Services Services Services Services Services Services

The Minister for Hospitals Services Services Services Services Services

The Minister for Medical Services Services Services Services Services Services

The Minister for Dental Services Services Services Services Services Services

The Minister for Veterinary Services Services Services Services Services Services

The Minister for Agricultural Services Services Services Services Services Services

The Minister for Horticultural Services Services Services Services Services Services

The Minister for Forestry Services Services Services Services Services Services

The Minister for Fisheries Services Services Services Services Services Services

The Minister for Mining Services Services Services Services Services Services

The Minister for Industrial Services Services Services Services Services Services

The Minister for Commercial Services Services Services Services Services Services

The Minister for Transport Services Services Services Services Services Services

The Minister for Communications Services Services Services Services Services Services

The Minister for Defence Services Services Services Services Services Services

The Minister for Foreign Affairs Services Services Services Services Services Services

The Minister for Home Affairs Services Services Services Services Services Services

The Minister for Justice Services Services Services Services Services Services

The Minister for Labour Services Services Services Services Services Services

The Minister for Social Welfare Services Services Services Services Services Services

The Minister for Tourism Services Services Services Services Services Services

The Minister for Youth Affairs Services Services Services Services Services Services

The Minister for Women's Affairs Services Services Services Services Services Services

The Minister for Children's Affairs Services Services Services Services Services Services

The Minister for Old Age Pensions Services Services Services Services Services Services

The Minister for Unemployment Relief Services Services Services Services Services Services

The Minister for Disaster Relief Services Services Services Services Services Services

The Minister for Emergency Services Services Services Services Services Services Services

The Minister for Civil Defence Services Services Services Services Services Services

The Minister for Police Services Services Services Services Services Services

The Minister for Fire Services Services Services Services Services Services Services

The Minister for Ambulance Services Services Services Services Services Services Services

The Minister for Hospitals Services Services Services Services Services Services

The Minister for Medical Services Services Services Services Services Services Services

The Minister for Dental Services Services Services Services Services Services Services

The Minister for Veterinary Services Services Services Services Services Services Services

The Minister for Agricultural Services Services Services Services Services Services Services

The Minister for Horticultural Services Services Services Services Services Services Services

The Minister for Forestry Services Services Services Services Services Services Services

The Minister for Fisheries Services Services Services Services Services Services Services

The Minister for Mining Services Services Services Services Services Services Services

The Minister for Industrial Services Services Services Services Services Services Services

The Minister for Commercial Services Services Services Services Services Services Services

The Minister for Transport Services Services Services Services Services Services Services

The Minister for Communications Services Services Services Services Services Services Services

The Minister for Defence Services Services Services Services Services Services Services

The Minister for Foreign Affairs Services Services Services Services Services Services Services

The Minister for Home Affairs Services Services Services Services Services Services Services

The Minister for Justice Services Services Services Services Services Services Services

The Minister for Labour Services Services Services Services Services Services Services

The Minister for Social Welfare Services Services Services Services Services Services Services

The Minister for Tourism Services Services Services Services Services Services Services

The Minister for Youth Affairs Services Services Services Services Services Services Services

The Minister for Women's Affairs Services Services Services Services Services Services Services

The Minister for Children's Affairs Services Services Services Services Services Services Services

The Minister for Old Age Pensions Services Services Services Services Services Services Services

The Minister for Unemployment Relief Services Services Services Services Services Services Services

The Minister for Disaster Relief Services Services Services Services Services Services Services

The Minister for Emergency Services Services Services Services Services Services Services Services

The Minister for Civil Defence Services Services Services Services Services Services Services

The Minister for Police Services Services Services Services Services Services Services

The Minister for Fire Services Services Services Services Services Services Services Services

The Minister for Ambulance Services Services Services Services Services Services Services Services

The Minister for Hospitals Services Services Services Services Services Services Services

The Minister for Medical Services Services Services Services Services Services Services Services

The Minister for Dental Services Services Services Services Services Services Services Services

The Minister for Veterinary Services Services Services Services Services Services Services Services

The Minister for Agricultural Services Services Services Services Services Services Services Services

The Minister for Horticultural Services Services Services Services Services Services Services Services

The Minister for Forestry Services Services Services Services Services Services Services Services

The Minister for Fisheries Services Services Services Services Services Services Services Services

The Minister for Mining Services Services Services Services Services Services Services Services

The Minister for Industrial Services Services Services Services Services Services Services Services

The Minister for Commercial Services Services Services Services Services Services Services Services

The Minister for Transport Services Services Services Services Services Services Services Services

The Minister for Communications Services Services Services Services Services Services Services Services

The Minister for Defence Services Services Services Services Services Services Services Services

The Minister for Foreign Affairs Services Services Services Services Services Services Services Services

The Minister for Home Affairs Services Services Services Services Services Services Services Services

The Minister for Justice Services Services Services Services Services Services Services Services

The Minister for Labour Services Services Services Services Services Services Services Services

The Minister for Social Welfare Services Services Services Services Services Services Services Services

The Minister for Tourism Services Services Services Services Services Services Services Services

The Minister for Youth Affairs Services Services Services Services Services Services Services Services

The Minister for Women's Affairs Services Services Services Services Services Services Services Services

The Minister for Children's Affairs Services Services Services Services Services Services Services Services

The Minister for Old Age Pensions Services Services Services Services Services Services Services Services

The Minister for Unemployment Relief Services Services Services Services Services Services Services Services

The Minister for Disaster Relief Services Services Services Services Services Services Services Services

The Minister for Emergency Services Services Services Services Services Services Services Services Services

The Minister for Civil Defence Services Services Services Services Services Services Services Services

The Minister for Police Services Services Services Services Services Services Services Services

The Minister for Fire Services Services Services Services Services Services Services Services Services

The Minister for Ambulance Services Services Services Services Services Services Services Services Services

The Minister for Hospitals Services Services Services Services Services Services Services Services

The Minister for Medical Services Services Services Services Services Services Services Services Services

The Minister for Dental Services Services Services Services Services Services Services Services Services

The Minister for Veterinary Services Services Services Services Services Services Services Services Services

The Minister for Agricultural Services Services Services Services Services Services Services Services Services

The Minister for Horticultural Services Services Services Services Services Services Services Services Services

The Minister for Forestry Services Services Services Services Services Services Services Services Services

The Minister for Fisheries Services Services Services Services Services Services Services Services Services

The Minister for Mining Services Services Services Services Services Services Services Services Services

The Minister for Industrial Services Services Services Services Services Services Services Services Services

The Minister for Commercial Services Services Services Services Services Services Services Services Services

The Minister for Transport Services Services Services Services Services Services Services Services Services

The Minister for Communications Services Services Services Services Services Services Services Services Services

The Minister for Defence Services Services Services Services Services Services Services Services Services

The Minister for Foreign Affairs Services Services Services Services Services Services Services Services Services

The Minister for Home Affairs Services Services Services Services Services Services Services Services Services

The Minister for Justice Services Services Services Services Services Services Services Services Services

The Minister for Labour Services Services Services Services Services Services Services Services Services

The Minister for Social Welfare Services Services Services Services Services Services Services Services Services

The Minister for Tourism Services Services Services Services Services Services Services Services Services

The Minister for Youth Affairs Services Services Services Services Services Services Services Services Services

The Minister for Women's Affairs Services Services Services Services Services Services Services Services Services

The Minister for Children's Affairs Services Services Services Services Services Services Services Services Services

The Minister for Old Age Pensions Services Services Services Services Services Services Services Services Services

The Minister for Unemployment Relief Services Services Services Services Services Services Services Services Services

The Minister for Disaster Relief Services Services Services Services Services Services Services Services Services

The Minister for Emergency Services Services Services Services Services Services Services Services Services Services

The Minister for Civil Defence Services Services Services Services Services Services Services Services Services

The Minister for Police Services Services Services Services Services Services Services Services Services

The Minister for Fire Services Services Services Services Services Services Services Services Services Services

The Minister for Ambulance Services Services Services Services Services Services Services Services Services Services

The Minister for Hospitals Services Services Services Services Services Services Services Services Services

The Minister for Medical Services Services Services Services Services Services Services Services Services Services

The Minister for Dental Services Services Services Services Services Services Services Services Services Services

The Minister for Veterinary Services Services Services Services Services Services Services Services Services Services

The Minister for Agricultural Services Services Services Services Services Services Services Services Services Services

The Minister for Horticultural Services Services Services Services Services Services Services Services Services Services

The Minister for Forestry Services Services Services Services Services Services Services Services Services Services

The Minister for Fisheries Services Services Services Services Services Services Services Services Services Services

The Minister for Mining Services Services Services Services Services Services Services Services Services Services

The Minister for Industrial Services Services Services Services Services Services Services Services Services Services

The Minister for Commercial Services Services Services Services Services Services Services Services Services Services

The Minister for Transport Services Services Services Services Services Services Services Services Services Services

The Minister for Communications Services Services Services Services Services Services Services Services Services Services

The Minister for Defence Services Services Services Services Services Services Services Services Services Services

The Minister for Foreign Affairs Services Services Services Services Services Services Services Services Services Services

The Minister for Home Affairs Services Services Services Services Services Services Services Services Services Services

The Minister for Justice Services Services Services Services Services Services Services Services Services Services

The Minister for Labour Services Services Services Services Services Services Services Services Services Services

The Minister for Social Welfare Services Services Services Services Services Services Services Services Services Services

The Minister for Tourism Services Services Services Services Services Services Services Services Services Services

The Minister for Youth Affairs Services Services Services Services Services Services Services Services Services Services

The Minister for Women's Affairs Services Services Services Services Services Services Services Services Services Services

The Minister for Children's Affairs Services Services Services Services Services Services Services Services Services Services

The Minister for Old Age Pensions Services Services Services Services Services Services Services Services Services Services

The Minister for Unemployment Relief Services Services Services Services Services Services Services Services Services Services

The Minister for Disaster Relief Services Services Services Services Services Services Services Services Services Services

The Minister for Emergency Services Services Services Services Services Services Services Services Services Services Services

The Minister for Civil Defence Services Services Services Services Services Services Services Services Services Services

The Minister for Police Services Services Services Services Services Services Services Services Services Services

The Minister for Fire Services Services Services Services Services Services Services Services Services Services Services

The Minister for Ambulance Services Services Services Services Services Services Services Services Services Services Services

The Minister for Hospitals Services Services Services Services Services Services Services Services Services Services

The Minister for Medical Services Services Services Services Services Services Services Services Services Services Services

The Minister for Dental Services Services Services Services Services Services Services Services Services Services Services

The Minister for Veterinary Services Services Services Services Services Services Services Services Services Services Services

The Minister for Agricultural Services Services Services Services Services Services Services Services Services Services Services

The Minister for Horticultural Services Services Services Services Services Services Services Services Services Services Services

The Minister for Forestry Services Services Services Services Services Services Services Services Services Services Services

The Minister for Fisheries Services Services Services Services Services Services Services Services Services Services Services

The Minister for Mining Services Services Services Services Services Services Services Services Services Services Services

The Minister for Industrial Services Services Services Services Services Services Services Services Services Services Services

The Minister for Commercial Services Services Services Services Services Services Services Services Services Services Services

The Minister for Transport Services Services Services Services Services Services Services Services Services Services Services

The Minister for Communications Services Services Services Services Services Services Services Services Services Services Services

The Minister for Defence Services Services Services Services Services Services Services Services Services Services Services

The Minister for Foreign Affairs Services Services Services Services Services Services Services Services Services Services Services

The Minister for Home Affairs Services Services Services Services Services Services Services Services Services Services Services

The Minister for Justice Services Services Services Services Services Services Services Services Services Services Services

The Minister for Labour Services Services Services Services Services Services Services Services Services Services Services

The Minister for Social Welfare Services Services Services Services Services Services Services Services Services Services Services

The Minister for Tourism Services Services Services Services Services Services Services Services Services Services Services

The Minister for Youth Affairs Services Services Services Services Services Services Services Services Services Services Services

The Minister for Women's Affairs Services Services Services Services Services Services Services Services Services Services Services

The Minister for Children's Affairs Services Services Services Services Services Services Services Services Services Services Services

The Minister for Old Age Pensions Services Services Services Services Services Services Services Services Services Services Services

The Minister for Unemployment Relief Services Services Services Services Services Services Services Services Services Services Services

The Minister for Disaster Relief Services Services Services Services Services Services Services Services Services Services Services

The Minister for Emergency Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Civil Defence Services Services Services Services Services Services Services Services Services Services Services

The Minister for Police Services Services Services Services Services Services Services Services Services Services Services

The Minister for Fire Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Ambulance Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Hospitals Services Services Services Services Services Services Services Services Services Services Services

The Minister for Medical Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Dental Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Veterinary Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Agricultural Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Horticultural Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Forestry Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Fisheries Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Mining Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Industrial Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Commercial Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Transport Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Communications Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Defence Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Foreign Affairs Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Home Affairs Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Justice Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Labour Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Social Welfare Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Tourism Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Youth Affairs Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Women's Affairs Services Services Services Services Services Services Services Services Services Services Services Services

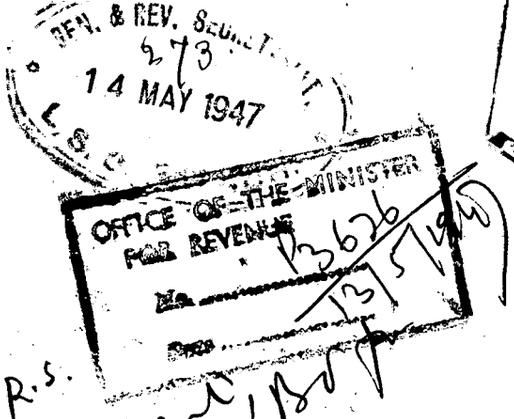
The Minister for Children's Affairs Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Old Age Pensions Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Unemployment Relief Services Services Services Services Services Services Services Services Services Services Services Services

The Minister for Disaster Relief Services

(25)



To

The Revenue Minister,
In Mysore,
BANGALORE.

P e t i t i o n e r:-

V.A.Ethirajalu Mudaliar,
Merchant, Bowringpet.

****

Petitoner respectfully beg to bring the following to your kind notice with a humble prayer that the matter may kindly be looked into by your honour and relief granted to him.

Petitioner who has been trading for over 9 years in stall No.184 Robertsonpet, Kolar Gold Fields was suddenly called upon to quit the premises as per order No.M.3.C.164/46-47 dated 20th February 1947 of the President, Kolar Gold Fields Sanitary Board. The said order has been confirmed by the president Sanitary Board in his order No.M.3-C.164/46-47 dated 29th March 1947. As against the said order the Petitioner has preferred an appeal to the Government and the same is pending here.

In the meanwhile the authority at Kolar Gold Fields suddenly appeared at petitioner's Stall on 29th March 1947 and locked up the shop with all its contents. The same was done in the presence of the Health Officer. The reason urged for the resumption of petitioner's shop are all imaginary and have no foundation, whatever. It is alleged that the shop has been sublet. It is not so and the same is clear from the copy of the appeal memo produced herewith. Petitioner has reasons to belive that the high handed action on the part of the authorities is malicious and suggested by petitioner's business competitors. The action is not-bonafide. There are atleast.50 shops in the market which is in the possession of persons who are not registered holders. They have been tolerated while unfortunately the petitioner has been sigled out fordrastic action.

sub-let

A report has been called for on the previous petition P.T.O.

of the petitioner. In order if these papers may not be placed in the connected file.

Repeated requests to stay action pending disposal of the appeal before the Government have become of no avail and the authorities have by their action caused loss to the petitioner by abruptly closing his shop with its contents worth over Rs.5,000/-. Petitioner humbly prays that your Honour may be pleased to hold an enquiry into the conduct of the authorities and so called reason urged to resume his shop and direct the authorities at Robertsonpet, Kolar Gold Fields to hand over possession of the stall No.194 to the petitioner pending disposal of the appeal. Since the matter is urged, it is prayed that immediatel interim orders may be passed in this behalf. In this connection I have wired as under on 8-5-1947.

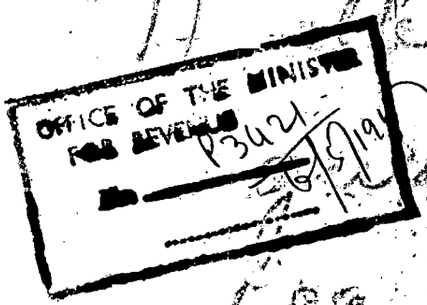
"REVENUE MINISTER, GUEST HOUSE, CAMP COORGAUM"
'BEG TO BRING TO YOUR KIND NOTICE THAT HIGHHANDEDNESS
ON THE PART OF HEALTH OFFICER HEALTH INSPECTOR
SARGENT ASSISTANT SARGENT AND FEW OTHER POLICS OF
ROBERTSONPET RAIDED ON FIFTEENTH APRIL BY
THRATENING MY SON SENT HIM OUT OF STALL AND SEALED
THE SAME STALL CONTAINS BELONGS WORTH FIVE THOUSAND
THE REASON BEING STALL IS NOT IN MY NAME PREPARED
TO PROVE THAT STALL BEING IN OTHER NAMES AND OTHERS
HAVING POSITION OF STALL THAT MORE THAN FIFTY STALLS
ENJOYING THE POSITION AS I AM PLACED SANITARY
BOARD IS AWARE OF MY ENJOYING THE STALL IN OTHERS
NAME I HAVE APPEALED IN YOUR HONOURABLE
COURT ON FIFTEENTH APRIL 1947 PRAY TO RESTORE
STALL TILL THE CASE IS DISPOAL AS I HAVE IN
HEAVY LOSS.'

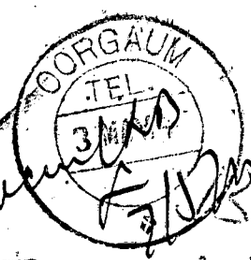
"PETITIONER".

V. H. Rajagopalan

PETITIONER.

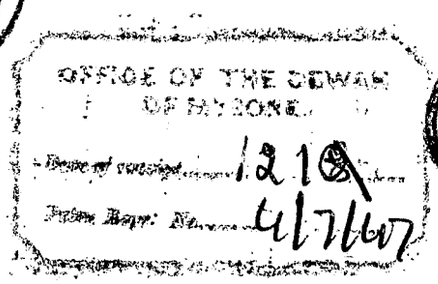
Bowringpet.
Dated: 12th May 1947.


OFFICE OF THE MINISTER
FOR REVENUE
P3424


ORGAUM
TEL
3

REN./FOREST
6
MAY 1947
BRANCH

(29)



BEFORE THE DEWAN SAHIB OF MYSORE, BANGALORE.

Appellant:-

V.A.Ethirajalu Mudaliar & Brother,
General Merchants & Commission Agents,
BOWRINGPET.

papers please.
ARM
Rev. Secy) 2/7

VS

Respondent:-

Vice President,
Sanitary Board,
Kolar Gold Fields.

The Appellant above named begs to state as follows:-

That the stall No.184 in the market at Robertsonpet, K.G.F. is registered in the Sanitary Board Office in the name of Mr.P.R.Subramaniyam Mudaliar. He carried on business in the stall for some years and then handed it over to the appellant about 10 years ago. Since 10 years the appellant is carrying on his own business in the said stall to the knowledge of the Sanitary Board authorities who are collecting the tax and rent from the appellant directly for these 10 years.

That some time back some misunderstandings arose between the appellant and the market seargent owing to these misunderstandings he(Market seargent) took steps against the appellant to disposses him of the said stall. When the appellant offered that he would himself become the registered holder making necessary payments, his offer was rejected and he was asked by a notice to vacate and quit the stall.

Even his request to grant him a permission for running a coffee griender was also rejected.

That while these negotations were proceeding, the Sanitary Board authorities went to the stall in the absence of appellant, they drove out appellant's Son and locked it on 29-4-1947. The stall still is under that lock and the appellant is suffering a heavy LOSS every day. The Frigidaire machine if left without current becomes unfit for future use.

That the appellant preferred an appeal to the Deputy Commissioner who is also the president of the Sanitary Board, against the orders of the Vice President . His appeal was dismissed and the stay order issued by him was withdrawn. Against this order he preferred an appeal to the Minister concerned. This appeal was preferred on 15-4-47, but it still his undisposed of.

That on 12-5-47 the appellant preffered an appeal to the Dewan stating that the Minister has not yet passed any order and that the appellant is suffering a heavy loss. Again on 19-5-1947 the Dewan was gracious enough to grant appellant' brother an interview and to tell him that he would enquire into the matter.

Wherefore, the appellant most respectfully Prays that the Dewan may be graciously pleased to send for the records and order that the said stall be given to him, taking necessary tax or fee from him, taking at the same time his long standing possession thereof for these 10 years for which period the authorities have been regularly receiving tax from the (appellant) him.

V. A. Athisayalu

BOWRINGPET.
24th June 1947.

35

4. All that the previous holder was entitled to do was to sell his own personal effects to others and to relinquish the Sanitary Board Stall. Apart from this, he had no manner of right to transfer the Sanitary Board Stall to any one.

5. This was a clear case, as made out from the detailed report of the Medical Officer of Health and also from the records, of unauthorised holding of the Sanitary Board Stall, breach of Rules of Market, and the action taken by the Vice President was therefore found to be in the best interests of the Board.

6. The other point raised by the petitioner is that he would be put into loss etc., Sub Para 2 of Rule 12 makes it clear that the stalls are liable to be resumed after one week's notice without assigning any reason therefor and the Sanitary Board will not be liable to any damage on account of such resumption. Again, according to Cl.22 (page 53), there is provision for the cancellation of the agreement altogether in the case of any stallholder contravening any of the conditions.

"P" I heard his counsel on 21-3-47 and passed orders stating that the petitioner cannot be considered as the rightful successor of the previous holder as no such transfer can be recognised, that the petitioner was also disobeying the directions of the Market Authorities and had unauthorisedly put up a coffee-grinder without obtaining formal permission and that as such he cannot be allowed to hold the stall any longer and that the petitioner was however at liberty to apply for a suitable stall in the Market. This "R" was communicated to him on 29-3-47.

The above are the facts of the case.

The grounds of appeal now advanced in the appeal petition are, (1)that he was a partner of the business from the commencement and that he became the absolute proprietor under a release-deed dated 6-12-40, that he is not a sub-tenant, that he ~~was~~ had not unauthorisedly put up a coffee-grinder but with express authority, that the coffee-grinder should have been directed to be removed if unauthorisedly put up and that it is erroneous to have held him to have been disobeying the authorities of the Sanitary Board.

It is ~~not~~ borne in the Sanitary Board records that the Stall was leased out to Mr. P.R.Subrahmanyam. It was in his individual

(37)

stall by the Medical Officer of Health in the presence of the Mahazardars ~~by~~ he refused and went away. The stall had to be got sealed after making an inventory before the mahazardars by the Medical Officer of Health. This is clearly disobeying the direction issued by a competent authority and tantamounts to defiance of law.

Further he filed a complaint of theft against the Medical Officer of Health and other responsible Officers of the Board. This is a mischievous move besides disobeying and delaying the orders of the Board's Authorities.

The illumination of the name board on the shop only is a business advertisement and does not create any right to him to occupy the stall.

The connected records and the appeal petition are enclosed.

I have the honour to be,
Sir,
Your most obedient servant,

Kolar.
15/7/47.

PRESIDENT,
K.G.F. SANITARY BOARD.

(38) L. 1766
30/7/47

Govt Grantsetty

Mr Ethirajulu Mudaliar
Merchant,
Bowringpet

—

With reference to his Petn dated the 15th April 1947 appealing against the orders of the Addl. Dist. Mg. Jr. Sanry Board, evicting him from Stall no 184 in the Robertsonpet Market, Mr. Ethirajulu Mudaliar is informed that the case has been posted for hearing ~~before the Board~~ at 2 P.M. on the 5th Aug 1947 before the Minister for Revenue and Communications.

Memo no L 1767 & 30/7/47 Payorder for Rs 5 to
Copy of the above is forwarded

To, L. 17444 (40)
d. 26/6/47

The president, K. G. A. Sanitary
Board.

Sir,

I am directed to invite
reference to this office letter No
L 15994 d 12/5/47. ~~from the~~ calling
for a report on the petition of
M. V. A. E thirajulu Mudaliar
re the his eviction from the
Robertsonpet Market. and to
request you to send the same
immediately.

I have etc

W. 19/6
for Secretary.

Immediate (4) 292/Eg

Dear Sir, 21.7.47

I am desired to invite reference to this office letter No L 15794 dt 2.5.47 and the subsequent reminder No L 17444 dt 26.6.47 calling for a report on the Petition of Mr V. A. Ettiraju Mudaliar re his eviction from the Robertsonpet Market and to request that the report called for therein may be kindly arranged to be sent by return of Post. The matter is being kept pending for want of the report and pressing for an early disposal.

Yours sincerely,

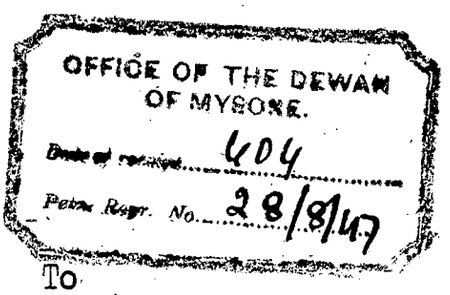
(by name) for Secy Bdy

21/7/47

[redacted]
21/7

L.B 22-47-5

(42)



By order.

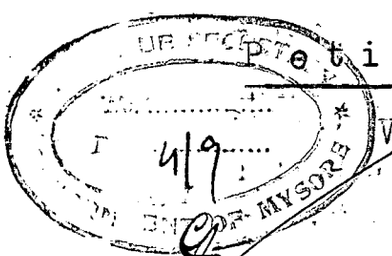
Rev-Secy

T. A. Ethiraju

PRIVATE SECRETARY
TO THE DEWAN OF MYSORE.

To

The Dewan Sahib of Mysore,
Bangalore.



Petitioner:-

V. A. Ethirajulu Mudaliar,
Merchant, Bowringpet,

****

Petitioner respectfully beg to bring the following to your kind notice with a humble prayer that the matter may kindly be looked into by your honour and relief granted to him.

Petitioner who has been trading for over 9 years in stall No. 184-Robertsonpet, Kolar Gold Fields was suddenly called upon to quit the premises as per order No. M.3.C.164/46-47 dated 20th February 1947 of the President, Kolar Gold Fields Sanitary Board. The said order has been confirmed by the President Sanitary Board in his order No. M.3-C.164/46-47 dated 29th March 1947. As against the said order the petitioner has preferred an appeal to the Government and the same is pending here.

In the meanwhile the authority at Kolar Gold Fields suddenly appeared at petitioner's stall on 28th March 1947 and locked up the shop with all its contents. The same was done in the presence of the Health Officer. The reasons urged for the resumption of petitioner's shop are all imaginary and have no foundation, Whatever. It is alleged that the shop has been sublet. It is not so and the same is clear from the copy of the appeal memo produced herewith. Petitioner has reasons to believe that the high handed action on the part of the authorities is malicious and suggested by petitioner's business competitors. The action is not bonafide. There are atleast 50 shops in the market which is in the possession of persons who are not registered holders. They have been tolerated while unfortunately the petitioner has been sigled out for drastic action.

Repeated

(44)

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE, AT BANGALORE.

A p p e l l a n t:-

V. A. Ethirajulu Mudaliar,
merchant, Robertsonpet,
C/O Gulur Sreenivasa Rao, B.A., LL.B.
Advocate, Balepet, Bangalore City.

****

Appellant begs to appeal to this Hon'ble Court from the order dated 6th April 1947 of the learned President of the Kolar Gold Fields Sanitary Board, Kolar Gold Fields, resuming stall No. 184, Market, Robertsonpet and directing eviction of the appellant from the occupation of the stall in which he has been trading for the last ten years and prays that this Hon'ble Court may be pleased to send for the connected records and cancel the order appealed from.

Facts of the Case.

The appellant has been trading in stall No. 184 Market, Robertsonpet, originally in partnership with one Mr. Subrahmanyam who however left off the partnership and executed the registered release deed dated 6th December 1940. With effect from that date the appellant has been trading in his own right as full and complete owner of the shop under reference. This fact is known to all the authorities concerned who have at all times collected the rents etc., from this appellant and have issued him receipts. With great deal of trouble and industry the appellant built up his business. Appellant has installed a Refrigirator at a cost of Rs 2,000/- with the permission of the authorities. The fact that he is trading in the stall under reference is advertised by an electrically illuminated sign board which costs more than Rs 200/-. In September 1946, appellant applied for permission to have a Coffee Grinder in his stall and installed the same with the express but oral permission of

the

person.

2. The learned President is again in error in thinking that there was a transfer of lease hold interest. Appellant has all along been in the shop in his own right and there is no question of his having got any interest to the stall by any transfer.

3. The learned President is in error in Law in seeking to apply the law prohibiting subletting to the case on hand. He should have found that there is no question of subletting at all.

4. The learned President is in error in believing that the appellant has unauthorisedly put up a coffee grinder. He should have found out that the same has bee done with express authority.

5. The learned President is in error in directing eviction of the appellant for the alleged reason of an unauthorised putting up a coffee grinder. If really it was the case, he should have directed the removal of the coffee grinder and not directed the resumption of the stall itself.

6. The learned President is grossly in error in - holding that the appellant is disobeying the direction of the market authorities. There is no such complaint against the appellant and the learned President has clearly gone out of his way to make such an unwarranted remark against the appellant who is a respectable merchant having extensive business both in K.G.F and in Bowringpet. Appellant is a member of the Municipal Council, Bowringpet and is the authorised representative for the Western India Match Co., Ltd. He owns Rice and Flour Mills in Bowringpet and pays income tac to the - Government. The remakr of the learned President that the appellant is disobeying the directions of the Market authorities really wounds him. It is submitted that the said remark is unfounded.

It is prayed that the order appealed from

(48)

B. L. No. 115/46-47. Office of the Medical Officer of Health,
Sanitary Board, K.G.F. 10th -4-47

Final Endorsement.

To

Mr. V. A. Ethirajulu Mudaliar,
Robertsonpet, Market.

In continuation of this office reference No.B.L. 115 of 1946-47 dated 2nd April 1947 served on him on 6th April 1947 directing him to vacate the stall No. 184 of Robertsonpet Market, it is reported that he has not so far complied with the condition of the order communicated to him and as such he is hereby finally informed that he should immediately vacate the said stall and hand it over to the Market Seargent within one week from the date of service of this reference, failing which the said stall will be resumed by the Sanitary Board authorities at his cost.

Sd/-
Medical Officer, K.G.F.

Market Inspector for service and report.

****

" True Copy "

(49)

No. M.3-C.164/ 46-47 Office of the President, K.G.F. Sanitary Board, dated Champion Reefs, 29th March 1947.

Reference: The Vice President's order No. M.3-C.164/ 46-47 dated 20th February 1947, resuming Stall No. 184 of the Robertsonpet Market, to the Sanitary Board in the circumstances mentioned therein and calling upon Mr. V. A. Ethirajulu Mudaliar to vacate the said stall within a week.

2. Petition dated 28th Febry 1947 of Mr. V. A. Ehthirajuly Mudaliar (represented by his counsel Mr. K. Rajagopala Rao, B.A., B.L.) requesting that he may be allowed to continue in the said stall and that pending consideration of his petition, further proceedings might be - stayed.

3. This office order of even No. dated 1st March 1947 directing that further procedure might be stayed pending orders on the application referred to above.

Orders thereon.

I have heard the petitioner and his counsel. The petitioner cannot be considered to be the rightful - successor to the previous holder, as nu such transfer as that alleged in the petition can be recognised. It is also true that the petitioner is disobeying the directions of the Market authorities and has unauthorisedly put up a coffee grinder without obtaining formal permission. As such he cannot be allowed to hold the stall any longer. The stay order is hereby withdrawn and the order of resumption dated 20th Febry 1947 is approved.

The petitioner is however at liberty to apply for a suitable stall in the market, which will be considered on merits.

Sd/-
President.

1. Petitioner (V.A. Ethirajulu Mudaliar through the Medical Officer of Health,
2. The Revenue Officer, K.G.F. Sanitary Board.

******

" True Copy

(50)

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat,

Dated Bangalore 9Xa **Aug.** *1947*

No X2349/26

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore.

Revenue Department.

To

The President,
Sanitary Board,
Kolar Gold Fields.

Subject: Petition of Mr.V.A. Ethirajulu Mudaliar, Merchant, Robertson pet, appealing against the orders of the President, Kolar Gold Fields Sanitary Board, directing the resumption of the stall No.184, Robertson Market, Kolar Gold Field and eviction of the appellant therefrom.

***

S i r,

With reference to your letter No.M3.C.164/46-47 dated the 21st July 1947 forwarding a report on the above appeal petition, I am directed to state that Mr.Gulur Srinivasa Rao, Advocate was heard for the appellant.

It is gathered from the records that the appellant got possession of the stall from the original permit holder by sale about six years ago. It is also not known why the market authorities failed to take action against him for such a long period as it cannot be believed that they were not aware of the true position. The appellant would be put to considerable inconvenience and loss if he should be evicted at this distance of time. His attitude and action are no doubt objectionable, but he feels sincerely repentant for what has happened and pleads for a sympathetic consideration. He has been adequately punished and suffered much loss by being kept out of his stall for the last four months.

In the light of the above facts, I am to request you to

consider

(52)

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat.

Dated Bangalore, 9th August 1947.

No. L2350/LB

ENDORSEMENT.

Granted to Mr.V.A.Ethirajulu Mudaliar,
Merchant, Rebertsonpet, through his
Counsel Mr.Gulur Srinivasa Rao,
Advocate, Balepet, Bangalore City.

***

With reference to his petition dated the 15th April 1947 appealing against the order of the President, Sanitary Board, Kolar Gold Fields, resuming his stall No.184 Robertsonpet Market and directing eviction of the petitioner from the occupation of the said stall etc, the Petitioner is informed that the President, Sanitary Board, Kolar Gold Fields has been directed to reconsider the case and sanction the stall in his favour with effect from 15th August 1947.

By Order,

[redacted]
Secretary to Government,
Revenue Department.

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form*).

also not known why the
market authorities failed to
take action against him
for such a long period as
it cannot be believed that
they were not aware of the
true position. The appellant
would be put to considerable
inconvenience and loss
if he should be evicted at
this distance of time. His
attitude and action are not
doubt objectionable but he
feels sincerely repentant
for what has happened
and pleads for a sympa-
thetic consideration. He has
been adequately punished
and suffered much loss
by being kept out of
his stall for the last
four months, ~~with costs thus~~

WD 03697—GPB—30,000—2-2-40

L 2350 / L.B. 64-46 (57)

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form*).

Endersement granted to Mr. V. A. Ethirajulu Mudaliar, Merchant Robertsonpet through his Counsel Mr. Gulur SrinivasaRao, Advocate, Balepet, Bangalore city.

with reference to his petition dated 15. 4. 1947 appealing against the order of the President, Sanitary Board, Kolar Gold fields, resuming his Stall no 184, Market Robertsonpet and directing eviction of the petitioner from the occupation of the said stall etc, the Petitioner is informed that the President, K.G.F. Sanitary Board, K G F

WD 03697—GPB—30,000—2-2-46